

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BRIAN SCHRAM,

Plaintiff,

vs.

LISA LAURELL, Social Worker;
SHANNON BLACK, Program Director;
CINDY DYKEMAN, AND Program
Manager; and MARILYN BAILEY,
Administration Assistance;

Defendants.

4:16CV3071

**MEMORANDUM
AND ORDER**

This matter is before the court on its own motion. On January 19, 2017, this court entered an order allowing some of Plaintiff's claims to proceed to service of process and dismissing the rest for failure to state a claim. ([Filing No. 16.](#)) Before doing so, this court reviewed Plaintiff's Amended Complaint filed on September 26, 2016, and "Supplemental Complaint" filed on November 7, 2016. (*See id.* at CM/ECF p. 1.) On January 25, 2017, Plaintiff filed a second "Supplemental Complaint." ([Filing No. 19.](#)) In his second "Supplemental Complaint," Plaintiff alleges that a fellow patient used racially discriminatory language against him. (*Id.*) The court dismissed a similar claim involving different patients in its January 19th order. ([Filing No. 16 at CM/ECF p. 2, 4.](#)) For the same reasons, this claim is also dismissed.

The court also cautions Plaintiff that, in the future, he must seek leave of the court to file any supplemental pleadings. *See Fed. R. Civ. P. 15(d)*. He must also seek leave to file any amended pleading and must attach a copy of his proposed amended pleading to the motion to amend. *See Fed. R. Civ. P. 15(a)*; NECivR [15.1](#). The court warns Plaintiff that this case has now proceeded to service of

process and the court will not permit the piecemeal filing of supplemental pleadings and requests to amend.

IT IS THEREFORE ORDERED that: Plaintiff's claim in his second "Supplemental Complaint" is dismissed for failure to state claim.

Dated this 31st day of January, 2017.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge